

**Federal Defenders
OF NEW YORK, INC.**

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By ECF

The Honorable Vernon S. Broderick
United States District Judge
Southern District of New York
40 Centre Street
New York, NY 10007

**Re: *United States v. Sayfullo Saipov*
17 Cr. 722 (VSB)**

Dear Judge Broderick,

I write in response to the government's letter filed yesterday evening regarding various matters pertaining to Sayfullo Saipov's sentencing proceeding, scheduled for Wednesday, May 17, 2023.

Yesterday morning, the government wrote the defense requesting our position on two issues: 1) a deadline of 12:00 p.m. on Monday, May 15, 2023, for any objections to the PSR, and 2) allowing the victims to speak after Mr. Saipov (should he choose to speak) during Wednesday's proceedings.

Following internal discussions, we responded to the government and proposed a filing deadline of 5:00 p.m. on Monday, May 15 for a letter regarding any objections to the PSR. We plan to meet with Mr. Saipov on Monday morning to review the PSR with him in person and will not be able to submit objections until later in the day. The government is not, and has not indicated how it might be, prejudiced by a 5:00 p.m. filing deadline.

Regarding the speaking order on Wednesday, the government's proposal to have the victims speak after Mr. Saipov is, to our knowledge, unprecedented. Uniform practice is for defendants to speak and address their sentencing judge immediately before the sentence is imposed. Indeed, particularly in a proceeding such as this, in which the government plans to elicit statements from 25 victims, it is all the more important that Mr. Saipov be given the opportunity to respond, if he chooses, before sentence is imposed.

Respectfully Submitted,

/s/

David Patton
Counsel for Sayfullo Saipov

Cc: Counsel of Record